

**Speech-Language Pathology and Audiology Board**

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**STATE OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD  
SAN FRANCISCO STATE UNIVERSITY  
1600 BURK HALL #503  
SAN FRANCISCO, CA 94132  
MEETING MINUTES**

**JULY 11, 2003  
AUDIOLOGY PRACTICE COMMITTEE  
MEETING MINUTES**

**Committee Members Present**

Rebecca Bingea, MA, Chairperson  
Alison Grimes, AuD  
Marcia Raggio, PhD

**Staff Present**

Annemarie Del Mugnaio, Executive Officer  
Lori Pinson, Staff Analyst  
George Ritter, Staff Counsel

**Board Members Present**

Sherry Washington, MA  
James Till, PhD  
Bruce Gerratt, PhD

**I. Call to Order**

Ms. Bingea called the meeting to order at 9:35 a.m.

**II. Introductions**

Those present introduced themselves.

**III. Review of Reference Materials Developed to Assist with Evaluating Courses for Continuing Professional Development Approval**

Chairperson Bingea introduced the first item on the agenda and requested that Ms. Grimes provide the information relative to development of the draft reference materials.

Ms. Grimes stated that the American-Speech-Language-Hearing Association's Knowledge and Skills Acquisition document was not overly helpful in preparing CPD reference materials as the document provided only generic subject areas that referenced basic audiology content areas that are covered in the university training programs. She stated that she researched the continuing education (CE) model employed by the American Board of Audiology (ABA) which requires a board certified audiologist to participate in a total of 45 CE hours every three years, 2 hours of which

must be in professional ethics and another 2 hours must be in audiologic evaluation not related to hearing aids. She stated that the ABA may also have internal standards for course content that are applied to the approval of CE providers. She stated that these standards may be helpful in further developing Board reference materials. Ms. Grimes informed the Committee that Ms. Bingea compiled a comprehensive alphabetical list of practice terms that could serve as a reference tool for the staff.

Ms. Grimes inquired whether the Committee would be supportive of delineating content areas that would be required within the existing 24 hours of CPD required for license renewal. She proposed that a framework be established to require a specified number of hours in professional ethics, a limit to the number of hours that can be obtained in hearing aid related courses (50% was recommended), and a requirement that courses must cover topics at the intermediate or advanced level.

Ms. Grimes asked Mr. Ritter if the change would be a legislative or regulatory amendment.

Mr. Ritter indicated that the delineation in course content requirements would be a regulatory change, however, the change in authority enabling the Board to approve courses may be more appropriately addressed by legislation.

Ms. Bingea stated that she would not be opposed to limiting the number of hearing aid related courses provided that there was some mechanism to ensure that audiology specific courses such as serving the needs of hearing impaired children or, audiology courses where certain aspects of hearing aids would be covered, should not be categorized as a hearing aid course.

Ms. Grimes indicated that courses covering cochlear implants, middle ear implants, and hearing assistive technology must be carefully considered by the Committee as to how the courses should be categorized.

Ms. Bingea stated that utilizing a professional subject matter volunteer would be advantageous in this case as the expert would be better equipped than staff to make a judgment about course content areas.

Ms. Grimes inquired about the number of self-study hours that can be applied to the CPD requirements and whether on-line courses qualify as self-study.

Ms. Del Mugnaio stated that 8 hours of self-study are permitted and that on-line courses can be self-study if they are not interactive courses where there is an exchange of information between the instructor or other class participants during the on-line activity.

Ms. Grimes reiterated that she believes that CPD courses should be intermediate and/or advanced.

Ms. Del Mugnaio stated that it may be difficult to restrict all elementary courses as some professionals may be transitioning to a different client base and may need these basic courses to ensure competency. She suggested that the Committee may want to consider limiting the number of basic courses that can be applied to CPD.

A general discussion ensued regarding the benefits or lack thereof of requiring CPD. The Committee discussed whether the CPD courses participated in by licensees thus far reflects a meaningful learning exercise.

Ms. Grimes repeated that the approval of individual courses versus solely approving providers will give the Board more control over the CPD activities that licensees participate in, and would improve the quality of education applied to the license renewal requirements.

Mr. Till asked the Committee whether the delineation of hours would be necessary if a professional expert were reviewing courses. He suggested that the review by the professional expert in and of itself may provide quality assurance in CPD coursework.

Ms. Grimes stated that she firmly believes that hearing aid courses sponsored by manufacturers should be limited to half of the required CPD hours. She further stated that since licensees are able to apply 8 hours of self-study to the license renewal requirements, licensees can participate in professional ethics courses as self-study and it may not be necessary to assign a specific course requirement for professional ethics.

Mr. Till clarified that there would be asymmetry in CPD requirements for speech-language pathologists and audiologists if the Audiology Committee chose to define specific CPD hours in regulation. He stated that the CPD requirements for speech-language pathology would not include specific course delineation but rather the process for approving courses would be added and the course review would be conducted by a professional expert. In this way, the ambiguity that currently exists regarding what constitutes directly relevant or practice specific speech-language pathology courses would be resolved.

A general discussion ensued regarding the impact of managed care on health care practitioners in that practitioners are being required to provide professional services in practice areas that they may not be competent in because they are the only provider under that plan. This lends credence to the argument that professionals may need to participate in basic CPD courses to relearn professional services that they may not have been providing for many years.

Mr. Gerratt restated that it is a licensee's responsibility to refrain from engaging in areas of practice in which they are not competent.

Ms. Del Mugnaio explained the administrative and regulatory process to implement the proposed change to provide the Board with the authority to approve CPD courses with specific requirements for the practice of audiology and to utilize a professional expert. She stated that she would provide regulatory language at the October Board meeting.

The Committee discussed the process in selecting professional experts and concluded that professional experts should be interviewed by the Board.

M/S/C: Grimes/Raggio

The Committee voted to recommend to the Board that the CPD requirements for audiology be amended to provide the Board with the authority to approve CPD courses as well as to define that not more than 50% of the total number of CPD hours required for license renewal shall be obtained from hearing aid manufacturers or vendors.

The Committee further voted to recommend to the Board that the draft audiology CPD reference document be approved for use by staff in the interim until further edits can be made by members of the Committee.

#### **IV. Legislation**

##### **A. AB 510 – Medi-Cal Coverage for Medical Equipment**

Ms. Del Mugnaio reported that the bill is an added provision under the Welfare and Institutions Code that redefines the Medi-Cal guidelines for maximum allowable product costs for medical supplies including hearing aids. She reported that the provisions of the bill have been transferred to the legislative vehicle of Senate Bill 747 authored by Assembly Members Mathews and La Malfa.

Ms. Del Mugnaio stated that further discussion regarding SB 747 can be taken up under that agenda item.

##### **B. AB 525 – Hearing Aid Dispensing**

Ms. Del Mugnaio reported that Assembly Bill 525 (Cohn), amending Business and Professions Code Section 3365.6 to provide that an audiologist recommending hearing aids to persons 16 years of age or younger must hold a state license, has been enrolled and is awaiting the Governor's signature. She stated that as discussed at the April 24-25, 2003, meetings, the existing law requiring that the audiologist be certified by the American-Speech-Language Hearing Association (ASHA) would be stricken and replaced with the licensure language.

Ms. Del Mugnaio added that there was no opposition to the bill other than that submitted by ASHA. She referenced the Board support letter included in the meeting packets and indicated that it appears that the bill will be successful in obtaining the Governor's approval. If signed the bill would take effect January 1, 2004.

##### **C. AB 532 – School Audiologists Solicitation**

Ms. Del Mugnaio stated that the bill amending Education Code Section 51520, to prohibit audiologists who provide voluntary auditory testing to pupils in a school from soliciting students or parents of students for treatment or consultation of services covered under auditory testing, has been gutted and replaced with language that is not relevant to audiologists.

Ms. Del Mugnaio stated that the author's office offered no explanation as to why the original initiative was proposed and did not provide a reason for abandoning the bill.

#### **D. SB 174 – Hearing Aids**

Ms. Del Mugnaio stated that, as discussed at the prior meeting, SB 174 was assigned to a UC Study Commission to determine the cost-benefit analysis for mandating health care providers to cover a range of new services including hearing aids. She informed the Board that the UC Study Commission has not released a report on the findings of that study.

Ms. Del Mugnaio stated that she would continue to follow the progress of the study and report to the Board any opportunities for the Board to voice their support regarding the mandatory health coverage for hearing aids for persons under 18 years of age.

#### **E. SB 648 - Assistive Devices**

Ms. Del Mugnaio stated that Senate Bill 648, authored by Senator Battin, which is an attempt to amend the Song Beverly Act by enabling hearing aid dispensers to retain a nominal fee from a hearing aid sales should the device be returned by a consumer, is a two year legislative bill and is not scheduled to be heard in Committee until January 2004.

#### **F. AB 747 – Medical Rates and Hearing Aids**

Ms. Del Mugnaio explained that AB 747, which would authorize the Department of Health Services (DHS) to compile a list of covered durable medical equipment including hearing aids, was heard in the Health and Human Services Committee on July 9, 2003. She further stated that she spoke with the Committee consultant who indicated that the impetus for the bill was a report prepared by the State Auditor's Office wherein it was identified that a number of covered products were not provided for on the existing maximum allowable product costs list. The bill was intended to provide for these products and to provide greater flexibility for DHS to include other products, such as digital hearing aids. She further stated that the consultant explained the bill a cost-savings measure for the State.

Ms. Del Mugnaio distributed the bill analysis and offered to discuss any questions the Committee may have with the author's office and provide a future report.

Ms. Grimes stated that the bill should be amended to reflect specific maximum dollars amounts for covered hearing aids as opposed to listing the technology of the products because the technology is continually changing and advancing. She further stated that one way for the State to reduce Medi-Cal costs associated with providing hearing aids would be to eliminate the requirement for a hearing aid dispenser to provide 6 follow-up services upon dispensing a hearing aid as the price for the services are bundled with the price of the hearing aid. She stated that this issue is related to the unbundling issue in that the follow-up services are rehabilitative services and should be billed separately.

Ms. Del Mugnaio explained that the Committee could write a letter of support for the bill and suggest amendments that would create further cost savings for the State.

M/S/C            Grimes/Raggio

The Committee voted to recommend to the full Board that Ms. Grimes draft a letter of support for SB 747 to the author with suggested amendments that addresses consumer issues related to appropriate costs in hearing technology.

**V. Centers for Medicare & Medicaid Services (CMS) Proposed Rule for Audiologists Professional Standards**

Ms. Del Mugnaio stated that she is continuing to monitor the progress of the proposed federal rule change that would amend the definition of an audiologist authorized to provide services as an audiologist who holds a state license. She stated that, as provided in a report by Chairperson Grimes at the April 25, 2003 Board meeting, CMS is proposing one standard definition for an audiologist provider for both Medicare and Medicaid. She explained that the proposed rule change was published on April 2, 2003 and is within the public comment period.

Ms. Del Mugnaio referenced a support letter included in the meeting packets developed by the National Council of State Boards in Speech-Language Pathology and Audiology.

Ms. Del Mugnaio stated that she would continue to follow the progress federal proposal.

There being no further discussion, Chairperson Bingea adjourned the meeting at 10:45 a.m.

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Annemarie Del Mugnaio, Executive Officer